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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,965	10/20/2003	Geun-Yong Park	1293.1913	8643

21171 7590 05/03/2005

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EXAMINER
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TRAN, HOAN H

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/687,965	PARK, GEUN-YONG	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hoan H. Tran	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 12 and 19-23 is/are rejected.
- 7) ☒ Claim(s) 2-11 and 13-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 23 is rejected under 35 U.S.C. 102(b) as being anticipated by Sameshima et al.

[‘135]

Sameshima et al. disclose an image forming apparatus [Fig. 14] comprising a plurality of photosensitive drums [1a-1d]; a transfer unit [75] to transfer images from the photosensitive drums to an intermediate transfer belt [76], said transfer unit including a plurality of transfer backup rollers [80a-80d] respectively opposite the photosensitive drums; and a transfer backup roller moving portion which move all the transfer backup rollers towards or away from the photosensitive drums at the same time [Fig. 2; Col. 8, line 50 to Col. 9, line 13].

3. Claims 1, 12 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipate by Tokutake et al. [‘003]

Tokutake et al. disclose an image forming apparatus [Fig. 1] comprising a plurality of photosensitive drums [1Y, 1M, 1C, 1K]; a transfer roller [5A]; an intermediate transfer unit [7] including an intermediate transfer belt [70], a plurality of main frames [Fig. 4], a driving assembly having a driving roller and steering roller [Fig. 5]; a plurality of auxiliary frames

Art Unit: 2852

[Fig. 5]; and a transfer backup roller assembly [Col.8, line 57 to Col. 9, line19] including a plurality of transfer backup rollers [5Y, 5M, 5C, 5K], a plurality of guide rollers [76Y, 76M, 76C, 76K], and a transfer backup roller ascending and descending portion [Fig. 5].

***Allowable Subject Matter***

4. Claims 2-11 and 13-18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Prior Art***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Morikami et al. ['236] discloses an image forming apparatus having an intermediate transfer member.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoan H. Tran whose telephone number is (571) 272-2141. The examiner can normally be reached from 8:30 AM - 5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Arthur Grimley can be reached at (571) 272-2136. The central office fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2852

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Hoan Tran". The signature is fluid and cursive, with the first name "Hoan" and last name "Tran" clearly distinguishable.

HHT  
May 01, 2005

**HOAN TRAN**  
**PRIMARY EXAMINER**